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TAGS: [OFDP](#) [KREC](#) [ER](#) [UN](#)

SUBJECT: ERITREA SUSPECTS RECIPROCITY AT PLAY REGARDING  
PROPERTY PURCHASES

¶1. This message is sensitive but unclassified. Please protect accordingly.

¶2. Eritrean PermRep Ambassador Araya Desta, accompanied by DepPermRep Tesfa Seyoum, called on USUN Host Country Minister-Counselor and Deputy on March 6 to discuss his Mission's long-standing requests to purchase both an official residence and smaller office space for the Mission's chancery. Requests to purchase a residence were turned down by the Office of Foreign Missions in February 2003 and again in March 2004. Purchase of a smaller amount of office space (the Mission wants to downsize from their current 9200 square feet to 6500 square feet) was rejected in June, 2006. None of the rejections were accompanied by any explanation for the USG decision.

¶3. Desta, who has recently returned from consultations in Asmara, said that he and his government could only assume that the host country was using the bilateral principle of reciprocity to justify the rejections. He noted that the U.S. Embassy in Asmara has asked for land for a new chancery and wants a 99 year lease. According to Desta, the GOE does not permit the sale of land even to Eritrean nationals, but allows them and others to lease land for 33 years at a time. Such leases are renewable for additional 33 year periods, but this appears not to be acceptable to the Embassy.

¶4. Desta and Seyoum both stressed that although reciprocity is acceptable and understandable in a bilateral context, it has no place when dealing with missions accredited to multilateral international organizations such as the UN. Desta did not specifically quote the 1983 legal opinion rendered by the UN Legal Counsel on the subject of invoking reciprocity with regard to property acquisition, but in a conversation between USUN and Seyoum on the margins of a March 5 meeting of the UN's Committee on Relations with the Host Country, it is clear that the Eritreans are aware of it.

¶5. Host Country Committee Chairman Ambassador Andreas Mavroyiannis (Cyprus), at a March 5 lunch hosted by Deputy Assistant Secretary Claude Nebel, also mentioned the Eritrean complaint and the inappropriateness of using reciprocity in the UN context. At the respective sessions, both Nebel and USUN Host Country officers avoided any discussion of reciprocity with regard to the Eritrean complaint, but agreed to look into it. Mavroyiannis later noted that he had persuaded the Eritrean Mission to refrain from raising the issue at the March 5 Host Country Committee meeting to give the host country an additional two months to look into a response until the next meeting, provisionally scheduled for early May.

¶6. This message was not cleared by DAS Nebel before his departure from USUN.

